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6 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 DANIEL KEEN JR.,

9 Petitioner,

10 v.

11 RON HAYNES,

12 Respondent.

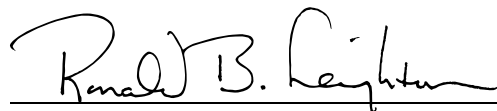
CASE NO. 3:19-CV-05826-RBL-JRC

ORDER ADOPTING REPORT AND
RECOMMENDATION

13 The Court, having reviewed the Report and Recommendation of Magistrate Judge J.
14 Richard Creatura, objections to the Report and Recommendation, if any, and the remaining
15 record, does hereby find and ORDER:

- 16 (1) The Court adopts the Report and Recommendation.
17 (2) The petition dismissed without prejudice.
18 (3) Petitioner is not entitled to a certificate of appealability with respect to this
19 petition and petitioner should not proceed *in forma pauperis* on appeal.

20 **DATED** this 6th day of January, 2019.

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23 Ronald B. Leighton
24 United States District Judge